

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

- - -

Cheryl Sheets, :
Plaintiff, :
vs. : Case No.
Sheriff Alex Lape, et al., : 2:21-cv-01810
Defendants. :

- - -

DEPOSITION OF DEPUTY MARTY NORRIS

- - -

Wednesday, May 11, 2022
11:31 a.m.
345 Lincoln Avenue
Lancaster, Ohio 43130

- - -

MARILYN K. MARTIN, RPR
REGISTERED PROFESSIONAL REPORTER

- - -

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24 - - -

1 WEDNESDAY MORNING SESSION
2 May 11, 2022
3 11:31 a.m.

4 - - -

5 STIPULATIONS

6 - - -

7 It is stipulated by and between counsel
8 for the respective parties herein that this
9 deposition of DEPUTY MARTY NORRIS, a Defendant
10 herein, called by the Plaintiff under the statute,
11 may be taken at this time and reduced to writing in
12 stenotypy by the Notary, whose notes may thereafter
13 be transcribed out of the presence of the witness;
14 and that proof of the official character and
15 qualifications of the Notary is waived.

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P R O C E E D I N G S

- - -

DEPUTY MARTY NORRIS,

being by me first duly sworn, as hereinafter
certified, testifies and says as follows:

CROSS-EXAMINATION

BY MS. KING:

Q. Hi. How are you?

A. Good.

Q. Deputy Norris, I'm attorney Billi Copeland
King. I'm going to ask you a few questions. You
heard some of the instructions that were given
before. Do you need me to repeat those again?

A. No, ma'am.

Q. Okay. Very well. So I'm just going to
have you spell your name for the record.

A. Yes. Marty, M-A-R-T-Y, N-O-R-R-I-S.

Q. And Marty is your proper name?

A. Correct.

Q. Okay. All right. Well, I just want
to -- Is your body camera on?

A. It is not. I can take it off.

Q. Okay. So I'm going to just ask you a few
questions about yourself and your education, your

1 training, your work history and employment. So I'm
2 going to start off: How old are you?

3 A. Fifty.

4 Q. Fifty. What's your birthday?

5 A. August 23, 1971.

6 Q. And how long have you been with Fairfield
7 County Sheriff's Office?

8 A. Fairfield County. I've been with
9 Fairfield County for 30 years.

10 Q. For 30 years?

11 A. Yes, ma'am.

12 Q. Anywhere before that?

13 A. Yes. I've was with Perry County for two
14 additional years at that. So I got 32 years of law
15 enforcement experience.

16 Q. Okay. What drew you to law enforcement?

17 A. Pardon me?

18 Q. What drew you to law enforcement?

19 A. A family thing. My father, grandfather,
20 mother, brother, daughter and nephew.

21 Q. Okay.

22 A. So --

23 Q. Yeah. Sounds very similar to my family
24 too. My father was a fire captain.

1 A. Everybody loves a firefighter. I should
2 have been a firefighter.

3 Q. So how tall are you?

4 A. Six-foot.

5 Q. What's your approximate weight?

6 A. About 220, 225.

7 Q. 220, 225. Okay. Pretty big guy. Do you
8 do any martial arts or anything?

9 A. No.

10 Q. Do you exercise?

11 A. Yes.

12 Q. Regularly?

13 A. Yes. But not recently.

14 Q. Okay. What do you do when you exercise
15 typically?

16 A. Usually endurance and weightlifting.

17 Q. Keep in shape for everything, right?

18 A. Try to.

19 Q. Yeah. So tell me about your education.

20 A. Well, I graduated in 1990 through
21 Lancaster High School. I went to Ohio University,
22 started out with law enforcement technology. I got
23 through all my law enforcement classes, then just
24 stopped going.

1 Q. So no degree?

2 A. No degree. But --

3 Q. Some college though?

4 A. Some college.

5 Q. About how many years?

6 A. You want to count credit years or going
7 years?

8 Q. Whatever. Both.

9 A. I think it was roughly from -- I'm taking
10 a guess -- '94 to about '98 or so, somewhere. It was
11 about four years it took me, and I still never got a
12 degree because I was working full time at the time.

13 Q. What were you doing? Perry?

14 A. Fairfield.

15 Q. Okay.

16 A. And I never went because they never gave
17 tuition or there was no incentive to get a college
18 degree.

19 Q. Uh-huh. So what other education or
20 training do you have?

21 A. I got the Ohio Peace Officers Training. I
22 have basic SWAT training, advanced SWAT training. I
23 have numerous other trainings. I think it's in my
24 file, but I can't really say what training it is

1 because after 30 years it kind of adds up and you
2 forget what you --

3 Q. How often do you train?

4 A. We have continuous education. I think
5 it's like 24 hours a year now. But they -- I just
6 came back from training right now. I went to a
7 nonlethal launcher school. It's FN303. It shoots
8 less lethal projectiles. So I -- For training, it's
9 just constant. On the SWAT team, we got training two
10 times a week -- or a month. I'm sorry.

11 Q. Yeah. So you have deescalation training?

12 A. Yes.

13 Q. Tell me about that.

14 A. I took deescalation training. It's called
15 Verbal Judo. It was a two-day course, a 16-hour
16 course. I think it was in the '90s.

17 Q. What did you learn?

18 A. Usually you confront somebody, and you
19 answer all their questions before -- so they know --
20 Like, say I approach you on a traffic stop. I
21 introduce myself, give my badge number, tell the
22 reason for the stop and ask them to provide their
23 information, like driver's license, stuff like that.
24 So you answer all the questions of why you stopped,

1 what you're doing so they can't say, "Why did you
2 stop me" and stuff like that.

3 Q. Why is that called Verbal Judo?

4 A. I don't know. I didn't name it that.

5 Q. But it's basically just giving a script?

6 A. It's kind of informing somebody what
7 you're doing, yeah, why you stopped them so these
8 answers don't come up negatively. Like, usually
9 you'd stop somebody and that's the first thing, "Why
10 did you stop me?" So you answer all the questions,
11 give the badge number and all that right upfront.

12 Q. Why is it important that it doesn't come
13 out negatively?

14 A. Why create more problems for yourself?

15 Q. Okay. Does that comport with your
16 policing philosophy? Do you have a policing
17 philosophy?

18 A. Yes, I do.

19 Q. What is that? Can you describe that?

20 A. My philosophy is I'm here to help
21 everybody and to be as nice as I can to everybody
22 until there's a time where it becomes a safety
23 factor.

24 Q. How do you determine when it's a safety

1 factor?

2 A. Usually when somebody puts their hands on
3 you or you feel that there's a weapon that's going to
4 be used on you or somebody else.

5 Q. Uh-huh. Is a hand on you a threat?

6 A. Yes.

7 Q. Every?

8 A. Every, yes. Every person that puts their
9 hand on me in the field I believe is a threat because
10 I have my sidearm on me at all times, so, yes.

11 Q. Okay. Are you married?

12 A. No.

13 Q. Do you have children?

14 A. Yes.

15 Q. Were you ever married?

16 A. Yes.

17 Q. How many times?

18 A. Once.

19 Q. Okay. How long ago was that?

20 A. I got a divorce in 2007 I believe.

21 Q. Okay.

22 A. I believe it was. I was married for like
23 16 years, and she was a police officer.

24 Q. Do you have any discipline history?

1 A. No. Well, I think I do. I think I
2 got -- I got disciplined for cussing, and then I had
3 a minor accident. So that's the only thing I can
4 recall.

5 Q. Out of 30 --

6 A. Thirty-two years.

7 Q. -- thirty-two years, cussing?

8 A. Yes.

9 Q. A car accident?

10 A. Yes.

11 Q. No citizen complaints?

12 A. I imagine there are. Everybody -- You
13 can't please everybody.

14 Q. Okay. Do you have any incidents of use of
15 force?

16 A. I can't recall any right offhand. Usually
17 it's with the taser or OC.

18 Q. How do you define use of force?

19 A. Anything that would -- you would have to
20 slam somebody to the ground, place up, choke, use an
21 impact weapon on or an intermediate weapon like a
22 taser, OC.

23 Q. Describe the hierarchy that you go through
24 when you --

1 A. Usually hands on is the first level.

2 Q. Describe "hands on" for me.

3 A. When you grab your hands on somebody and
4 you have to slam them up against an object to take
5 control of them and it causes injury. So every
6 incident where you put hands on is not a use of force
7 because you have to put your hands on somebody to put
8 handcuffs on them.

9 Q. Uh-huh. Yep. And what about the other
10 hierarchy in the use of force?

11 A. Then it comes to -- Pepper spray is
12 usually at the level of hands on. Any time you put
13 hands on, you can use your pepper spray. It jumps up
14 to taser and then after taser intermediate weapons
15 like baton, and then it goes to deadly force. If you
16 have them available, intermediate weapons with you.

17 Q. And have you had any incidents where
18 you've had to use deadly force?

19 A. No.

20 Q. Taser?

21 A. Yes.

22 Q. Okay. About how many?

23 A. Maybe a dozen, half a dozen. I can't
24 recall. It's been a long time.

1 Q. Okay. And there's usually reports that
2 are associated with that?

3 A. Usually, yes.

4 Q. Yes. And then how many times have you had
5 to use the bottom level, the slam someone up against
6 the wall?

7 A. Usually it doesn't come to that. I'd say
8 maybe less than a handful of times.

9 Q. Okay. How would you describe a handful of
10 times?

11 A. Less than a dozen.

12 Q. Okay. And so tell me, do you recall the
13 events on 9/17 --

14 A. Yes, I do.

15 Q. -- 2019?

16 Tell me, you know, how your day started
17 that day, what's going on.

18 A. Well, the day was nice. It was a nice
19 day. I was coming off shift. Somebody looked like
20 they were broke down in a parking lot next to the
21 defendant's residence at a, like, daycare. I went to
22 assist them; and when I assisted them, I noticed
23 somebody running from Mr. Pierce's house, running
24 out.

1 Q. Were you familiar with him?

2 A. Absolutely.

3 Q. How so?

4 A. I was there probably four or five times.
5 One time Mr. Pierce -- I was getting ready to take
6 him into custody, and he had some medical issue in
7 the back bedroom. I called for a quad.

8 Q. So you've been in that residence how many
9 times?

10 A. Three or four.

11 Q. Three or four?

12 A. Uh-huh.

13 Q. Okay. Finish telling --

14 A. So I seen somebody running from the
15 residence, called for backup. Confronted the people
16 outside, talked to them. I believe they had -- they
17 didn't live there, which I already knew that. But
18 then at that point, backup got there. Knocked on the
19 door. I stated my name, stated the reason why I was
20 there. I had a warrant for Boyd Pierce.

21 Mrs. Sheets was talking through the door,
22 said, "I got to put my dog up," which we knew she had
23 a dog because when we went there before she had to
24 put her dog up and it would take several minutes.

1 She let us in. Started searching the
2 residence. At the first living room -- the first
3 room was the living room, I think it was Mr. Echard.
4 Mr. Echard had an active warrant. We took him into
5 custody. Sat him down to confirm the warrant, that
6 they still wanted him. He was with another deputy.
7 I can't recall if it was Deputy Shorr or Deputy Reed.

8 Went back to the back bedroom. Was
9 searching around the bedroom area. Noticed that
10 there was a closet opened with the dog kennel in it,
11 and there was bags of clothes piled up on the dog
12 kennel, which is a good place to hide. Usually when
13 I capture fugitives, it's usually underneath clothes,
14 underneath beds.

15 Every time I got close, Mrs. Sheets would
16 start arguing with me that I can't search there. I
17 told her that I have a warrant for Mr. Pierce. And
18 then at that point, I went to turn around to look
19 into the dog -- where the dog was at, and I felt a
20 hand on the back of my shoulder pulling me back like
21 that (indicating).

22 Q. Okay. So can you back up for me. I'm
23 going to back up a little bit.

24 A. Sure.

1 Q. When you saw the individuals running, what
2 was your first thought?

3 A. I thought it was Mr. Pierce at first.

4 Q. Where did they run towards?

5 A. They were in a vehicle. They ran in the
6 vehicle that was parked outside the house. I think
7 they said they were changing the oil or something.
8 It was a maintenance problem with the vehicle.

9 Q. So that vehicle did not leave?

10 A. It did not, not to my recollection. It
11 did not leave.

12 Q. Okay. And when you talked to those
13 individuals, you, of course, identified them? And
14 then --

15 A. Yes.

16 Q. -- what happened next? You decided that
17 that --

18 A. That I would go up and -- I'll back up. A
19 day or two prior to this incident, I had a traffic
20 stop with an individual, well-known person who is
21 addicted, on drugs, Sierra Randolph. Ms. Randolph
22 explained to me -- I told her that I was looking for
23 Boyd Pierce. She explained to me that she was at
24 Boyd's a day or two prior to that. She was smoking

1 meth with Mr. Boyd -- or Mr. Pierce. I'm sorry -- in
2 the house and that he was there at the time and
3 that's where he was staying.

4 Q. Okay. And so what was your frame of mind
5 at the time?

6 A. Frame of mind?

7 Q. Uh-huh. So based upon the information
8 that you had two days earlier --

9 A. Yeah. I thought he was inside.

10 Q. You thought that he was inside?

11 A. I was almost, like, 99.9 percent sure he
12 was inside.

13 Q. Okay. And then can you explain to me:
14 When there are warrants, is there a priority to
15 warrants?

16 A. Yeah, there is.

17 Q. Can you take me through that.

18 A. Well, if it's a felony warrant, which this
19 is, usually we have to do a risk assessment. But on
20 Mr. Pierce's incident, I did several risk assessments
21 on Mr. Pierce in the past, so I knew criminal history
22 and I knew him pretty well. So what we do on
23 warrants is we usually have a backup, one or two
24 people that come along with us. So once they get on

1 scene, then we work the warrant.

2 Q. And how many people came on the scene?

3 A. Three.

4 Q. Three people on the scene?

5 A. Uh-huh.

6 Q. Okay. And what was the subject matter of
7 the warrant?

8 A. I think it was an aggravated possession of
9 drugs, which was a felony five.

10 Q. Okay. And where is that in your priority?

11 A. Priority?

12 Q. Is that, like, a low priority?

13 A. A felony is pretty high in my -- In my
14 world, I think a felony is pretty high.

15 Q. For drug possession?

16 A. Absolutely. We've had several overdoses.
17 We've been inundated with overdoses, overdose deaths.
18 And when I can shut that down in my community, I
19 believe that's a very, very high priority in my book.

20 Q. Now, if can we go back to the physical
21 environment.

22 A. Sure.

23 Q. When you walk into 515 Hocking, Apartment
24 B --

1 A. Yeah.

2 Q. -- how is the space oriented?

3 A. Very tight space. You come up, there's a
4 living room probably about the size of this room or
5 smaller. And then --

6 Q. About how many feet?

7 A. I would say anywhere from twelve to
8 sixteen feet, if that.

9 Q. Okay. And it's twelve by how much?

10 A. I'll say probably eight, no more than
11 ten feet.

12 Q. So that's the front room?

13 A. Yes.

14 Q. Eight by twelve. What do you encounter
15 next?

16 A. Well, I take it as a hallway/kitchen area,
17 which is probably no more than four feet width. But
18 it goes into the bedroom. So actually it's a full
19 open style. I'd say a studio style.

20 Q. An open studio style?

21 A. Yeah.

22 Q. Uh-huh.

23 A. A bathroom off to -- in the middle of the
24 kitchen.

1 Q. And like you said before, you've been
2 there many times?

3 A. Yeah.

4 Q. Four or five times?

5 A. Yep. Yes.

6 Q. So you were familiar with the layout?

7 A. Yes. We -- we always had -- we always
8 thought that there was a trapdoor underneath the dog
9 kennel or in that area because every time we went
10 over by that area, Ms. Sheets would get agitated.

11 Q. Has -- Have you ever found Mr. Pierce
12 in --

13 A. Oh, absolutely.

14 Q. -- 515 Hocking?

15 A. Yes.

16 Q. So the other four to five incidents?

17 MS. JARMUSZ: I was just going to remind
18 you to let her finish asking a question before you
19 start.

20 A. Yeah. I just think it was --

21 Q. Out of the four to five incidents --

22 A. Probably half.

23 Q. -- how many times did you find him in
24 there?

1 A. Two.

2 Q. Two. Okay. And what was your
3 understanding of the nature of the relationship?

4 A. My opinion or my understanding?

5 Q. Your knowledge.

6 A. I believe that Mr. Pierce was supplying
7 narcotics to Mrs. Sheets.

8 Q. But their relationship --

9 A. Was boyfriend, girlfriend. But in
10 my -- my experience over 30 some years, that's
11 usually how it is.

12 Q. Have you ever arrested Mrs. Sheets?

13 A. No.

14 Q. Okay. Let's get back to the physical
15 environment. So you described the front room, which
16 you step into immediately.

17 A. Yeah. She invited us in, correct.

18 Q. So you knock on the door. You step into
19 that --

20 A. It wasn't immediately.

21 Q. Well, I'm saying once you had access, you
22 stepped into the front room?

23 A. Correct.

24 Q. That was the first place that you stepped

1 into?

2 A. Yes.

3 Q. And then what space is next in that
4 configuration?

5 A. The kitchen or hallway/kitchen.

6 Q. Okay. And you said that's about four
7 feet?

8 A. Four feet wide, by probably six feet, if
9 that.

10 Q. Okay. And then where is the bedroom
11 located in that configuration?

12 A. Right next to the kitchen.

13 Q. How big is that space?

14 A. I would say it was probably about eight by
15 ten.

16 Q. Eight by ten?

17 A. Yeah. If that, yeah.

18 Q. Yeah. And I think -- Do you know what
19 type of bedroom furniture was in there?

20 A. There was a bed, a nightstand off the bed,
21 an open closet with the dog kennel and several bags
22 of clothing piled up about five feet tall. And she
23 claimed that she put them in there because she had
24 bedbugs and that's why and she didn't want me

1 touching them. But in -- My experience is when
2 somebody diverts and tries to put a hazard in front
3 of you to not look there, usually that's the place
4 you need to look.

5 Q. So she consented? She allowed you to come
6 in?

7 A. Oh, absolutely. She consented for the
8 search, yes.

9 Q. Is there at any time she gave you
10 resistance and indicated that she wanted you to
11 leave?

12 A. When I started getting back by the dog
13 kennel and clothes piled up. She never said leave,
14 but she didn't want me searching that area, which a
15 person could very well hide under the clothes, the
16 bags and bags of clothes.

17 And then in my experience in the past is
18 they use dogs for intimidation to cut off areas of
19 searching because people don't want to get bit. Some
20 deputies or officers won't put the effort, in fearing
21 that they're going to get bit, to the searching
22 places.

23 Q. Okay. So let's talk about where
24 Mrs. Sheets was standing and where you were standing.

1 A. Mrs. Sheets was kind of at the head of the
2 bed. I was at the middle to the end of the bed
3 getting ready to turn --

4 Q. Was this head left or right?

5 A. Depends. Are you looking at the bed, or
6 are you in the bed looking out?

7 Q. So if you come into the door --

8 A. Okay.

9 Q. -- and there's a bed in the room, where is
10 the bed located in the room?

11 A. It's in the middle of the room. The head
12 of the bed is the first thing you see. And the foot
13 of the bed is at the rear doorway area, and the
14 kennel is right next to the foot of the bed.

15 Q. Okay. And please continue with describing
16 where you were in relation to Mrs. Sheets.

17 A. Right. I was at the middle to end of the
18 bed. She was at the head of the bed. I went to turn
19 to get into the -- where the dog kennel was to start
20 to remove clothing -- or bags of clothes.

21 That's when I found -- felt a hand grab my
22 shoulder. At that point, I reached around. As an
23 escorting technique, put my hand underneath her -- it
24 would be her bicep area, my other hand on her wrist

1 as a basic escort technique, which I did in my career
2 probably tens if not hundreds of -- or tens of
3 hundreds of times.

4 Q. Uh-huh.

5 A. Or hundreds -- thousands of times. It's a
6 basic -- the very basic cuffing technique that you
7 would do.

8 Q. So your back was to her?

9 A. It was -- it was not really my back. It
10 was my right side, which is probably a fatal mistake
11 that could be --

12 Q. And you were turning to look?

13 A. I was turning to go into the closet where
14 she kept on getting agitated. It was kind of like a
15 child when they play cold and hot. When I was first
16 into the house, she was very calm, polite. And the
17 more I got back to the dog kennel, I could tell it's
18 getting hot because she was getting upset.

19 Q. But was it just the dog kennel? Were
20 there other instances where she was upset when you
21 were searching through items or cupboards?

22 A. I wasn't searching through cupboards. Any
23 place a person could search -- or hide, that's where
24 I was searching.

1 Q. So you didn't touch any electronics? You
2 didn't lift up or look at anything?

3 A. I had no reason to look under electronics
4 or anything like that. I don't recall moving
5 anything like that. Looking underneath the bed,
6 looking in the closet area, that's about it. And
7 right when I looked in the closet area, that's when
8 she became really agitated.

9 Q. And so you described as -- Please describe
10 for me again the motion that you engaged in when you
11 allegedly felt the hand on your shoulder?

12 A. I was turning over like this (indicating)
13 to get into the closet area when I felt somebody come
14 up onto my shoulder, my right shoulder area where my
15 gun is located. Put their hand on my shoulder and
16 started to pull me back. And I believe her statement
17 was, "You're overstepping your search." And at that
18 point, she was -- started to -- I started to take her
19 into custody.

20 Q. But -- I interrupted you. But previously
21 you were describing how you put -- how you -- I guess
22 I would say thread her wrist through. Did you have
23 control of her wrist or underneath?

24 A. It's like this (indicating), wrist,

1 underneath bicep area, come over like this. Very
2 basic.

3 Q. Okay. And is that considered sufficient
4 control?

5 A. Yeah. That's an escort technique. That's
6 a very -- I mean, that's -- that's -- that is police
7 academy 101. That's the first thing they teach you
8 in the police academy. Very, very basic. At that
9 point, she had her injury.

10 Q. Did you slam her on the bed?

11 A. I did not slam her on the bed. I placed
12 her on the bed.

13 Q. Okay. And why did you place her on the
14 bed if you had sufficient control?

15 A. Because I was -- That was a soft area. I
16 mean, it's better putting her on the bed than
17 putting -- because the area is very tight in there.
18 For me to step around her, I would have to have put
19 her on the bed to get around her. There was probably
20 maybe a foot or so from the doorway leading to the
21 closet area.

22 Q. Only a foot?

23 A. About a foot, maybe two foot, if that. It
24 is hard to get --

1 Q. You said that was eight by ten?

2 A. Yeah. It had a --

3 Q. Do -- Go ahead.

4 A. Like I said, it had a lot of clutter.

5 Q. What size bed?

6 A. I couldn't say. It looked like a queen
7 bed. But I said -- I couldn't say for sure. It
8 looked like a bigger bed.

9 Q. And you said there's a nightstand on the
10 other side?

11 A. Nightstand. I think there was a dresser.
12 I can't recall.

13 Q. How big was that space?

14 A. Space?

15 Q. On the other side of the bed where the
16 nightstand is located.

17 A. It was bigger over on the other side.
18 Yeah. Yeah. It would have been ideal to cuff her
19 over there, but I don't have the luxury of picking
20 where I take somebody into custody. That's up to
21 them.

22 Q. Okay. And then what happened after that?

23 A. Well, after that, I felt that her arm was
24 dislocated. It was just like that (indicating). I

1 mean, it was -- her arm was like a noodle. Very,
2 very soft. So at that point, I called for a squad
3 immediately.

4 Q. Was she still face down on the bed?

5 A. No. I let go of her at that point. I
6 said -- I told my -- I told Deputy Reed I would call
7 for a squad. And we were calling for a squad at that
8 point. And she was let go. At no time was I on top
9 of her.

10 Q. So what do you -- Define on top of
11 someone. If you pushed them down and you're holding
12 them down, are you talking full body weight?

13 A. No.

14 Q. Describe.

15 A. Well, I'm on the floor. I'm never -- I
16 never leave the floor. I push her down like that
17 (indicating) to gain control of her arm to cuff it.
18 At that point, I felt her arm give. I left her on
19 the bed, called for a squad, and they came and
20 treated her.

21 Q. Okay. Did you hear it give?

22 A. Oh, yeah. It gave, yeah. I didn't hear
23 it, but I felt it. So at that point -- All the years
24 I've been doing this and never had somebody's arm be

1 that soft to -- very, very less force.

2 Q. What were you thinking at that time? How
3 did you feel?

4 MS. JARMUSZ: Hold on. Are you done with
5 your answer? Because I think we're starting to cut
6 him off a little before moving on to the next
7 question. Do you have anything more?

8 A. I can't remember. What was the question
9 again?

10 Q. I said: What were you thinking at that
11 time? How did you feel?

12 A. What was I thinking? I was like, I can't
13 believe this just happened. That's what I was
14 thinking and that she needs medical attention.
15 That's what I was thinking.

16 Q. Did you have any particular feeling?

17 A. Feeling?

18 Q. If not, that's fine.

19 A. I'm trying to -- feeling for her or
20 feeling -- Well, yeah, I -- It was unfortunate that
21 she got hurt, yeah. That's not what I wanted to have
22 done. I'm here to help people, not hurt people.

23 Q. Okay. And describe what happened after
24 that.

1 A. Called for a squad. Called for a
2 supervisor. Supervisor came on the scene. A squad
3 came, removed Mrs. Sheets. We took, I think,
4 Mr. Echard to jail.

5 And there was an interview of Mr. Echard.
6 I can't recall when that was exactly. But Mr. Echard
7 did confirm that Mr. Pierce was at the location that
8 day.

9 Q. Okay. But you said -- You've never had
10 any encounters with Mrs. Sheets -- or Ms. Sheets?

11 A. Oh, I've had encounters. I've had several
12 pleasant encounters. I mean, I've searched her
13 house, like I said, three or four times; and it was
14 always a pleasant encounter.

15 Q. So you didn't have any preconceived
16 notions before you, you know, knocked on the door to
17 exercise a warrant?

18 A. I'm not sure if I understand your
19 question.

20 Q. I'm just asking you about your frame of
21 mind. You described to me that day and that you saw
22 them sitting in the childcare parking lot. And you
23 saw, you know, others running, that turned out not to
24 be Boyd. At that point, did you have any

1 preconceived notions, any -- Was there any thought
2 that, you know, there was something going on there?

3 MS. JARMUSZ: I'll object to form.

4 But you can answer.

5 A. Absolutely. It's a drug house. Of
6 course.

7 Q. So have you ever taken any courses in
8 anger management, any training?

9 A. Training? Anger management? Not
10 that -- not that I recall.

11 Q. Okay. I'm going to need a break here
12 soon.

13 (Recess taken.)

14 MS. KING: Back on the record.

15 BY MS. KING:

16 Q. So I just have a few follow-up questions
17 for you.

18 A. Okay.

19 Q. Do you remember the medical incident that
20 Boyd Pierce had?

21 A. Yeah. We went to arrest him. He -- I
22 think Mrs. Sheets said that he had something wrong
23 with his abdomen. At that point, we called for a
24 squad. They transported him.

1 Q. Okay.

2 A. But he was in the bed at the time. And
3 that was -- I'm not sure. It was sometime prior to
4 the incident that we're talking about.

5 Q. Okay. You said he was in the bed at the
6 time?

7 A. Yeah. He was in the bed. He was in the
8 back bedroom, I don't know, middle bedroom.

9 Q. Was he too ill to get up?

10 A. I don't know. I can't really testify to
11 his medical condition.

12 Q. Yeah. I was just wondering, you know,
13 what prompted the ambulance.

14 A. Well, if anybody asks for medical
15 assistance, we've got to provide them medical
16 assistance. Usually we'll have them checked out, and
17 then medics will tell us he's okay to be incarcerated
18 or we have to transport him.

19 Q. The other four to five times where you've
20 gone there, has he claimed a medical -- or you didn't
21 find him?

22 A. I don't believe we found him there at that
23 time.

24 Q. Okay.

1 A. But then at times, we would go to the
2 neighbors in the area, and they said, "Well, when you
3 left, he went out the back door." So --

4 Q. Okay. You know, that's prompted me to ask
5 about this trapdoor again.

6 A. I'm assuming it was a trapdoor due to the
7 neighbors testifying -- or not testifying -- but
8 telling me, "Hey, when you show up and search the
9 house," he leaves after we leave, shortly after.

10 Q. So you just assumed there was a trapdoor?

11 A. Assumed there was some hiding point in
12 that back bedroom area where the dog is due to my
13 past experience locating fugitives. I've located
14 fugitives in trapdoors. I've located fugitives under
15 clothing in that area.

16 Like I said, there was a very --
17 concentration of clothing bagged up where somebody
18 could be hiding. And every time I'd go to that
19 position, Mrs. Sheets would get agitated. So I'm
20 assuming there was something worth while looking at
21 in that location.

22 Q. Okay. So I also wanted to follow up on
23 your description of the game of hot and cold.

24 A. Yes.

1 Q. Can you describe more about that?

2 A. Absolutely. When your child -- I don't
3 know if you ever played it. You would hide an
4 object; and then if you were getting closer to that
5 object, the person who hid that object would say
6 "hot"; or if you were getting away from that object,
7 they would say "cold."

8 Q. So what in her specific behavior?

9 A. Her specific behavior was every time I got
10 back by where her dog was and the clothes, she would
11 get agitated. And then she would, "You're
12 overstepping looking there."

13 I can't remember how many times it was.
14 But there was several times that she would -- I could
15 see her getting agitated. I believe I told her to
16 step away or that she would get closer to me I
17 believe.

18 Q. Is it typical that -- that under those
19 circumstances, you would be in a confined -- or a
20 smaller space with someone?

21 A. I'm in small spaces all the time. Usually
22 it's trailers even smaller than that. Over my
23 experience, I believe one year, I had 458 fugitive
24 apprehensions. So I'm sure I've been in more

1 confined areas than that.

2 Q. Do you ever ask someone to stand in a
3 specific -- like a --

4 A. Absolutely.

5 Q. Tell me about that.

6 A. I would -- I -- Distance is always your
7 friend when you're in law enforcement because the
8 farther you're away from somebody the less likely
9 they are to harm you or get your gun or get anything
10 that could harm you. So any time that somebody walks
11 up on you or -- in that incident, you want them to
12 back up. So --

13 Q. I want to go back to the physical space
14 again.

15 A. Sure.

16 Q. When you walk in, for your safety, what do
17 you typically do?

18 A. Usually you look around your environments.
19 You pick out the threats that -- anything that could
20 harm you. Then the second thing you do is pick out
21 the unknowns. The unknowns usually are -- could be
22 just as harmful as the things that you know is a
23 threat.

24 Q. So that was a good description. So walk

1 me through what you saw when you walked in that front
2 room.

3 A. When I walked in the front room, there was
4 an immediate threat, that was Mr. Echard. Mr. Echard
5 was taken into custody after knowing about a warrant,
6 which I believe I -- and Mrs. Sheets said there was
7 no one else in the house. So at that point, I was
8 already deceived once; so I don't know why -- that
9 would be a big flag, that this person is
10 untrustworthy of believing anything they have to say
11 to you.

12 Q. Yeah. Can you take me back, though, to
13 the physical space. Where was -- I think it was
14 Mr. Echard?

15 A. Mr. Echard was in the living room.

16 Q. Where?

17 A. Yes. Probably about five to six feet off
18 the front door.

19 Q. To the left or --

20 A. To the left, correct. The door is on the
21 right. The left is open space somewhat. There was
22 some clutter in there, furniture, I think like a
23 bicycle or something. There was some other clutter
24 in there. Like I said, it was a real tight space.

1 Q. How much furniture was in that space?

2 A. I can't really recall, but I just remember
3 it was a cluttered living room.

4 Q. Was it cluttered in the sense of it
5 appeared that she was unkempt or moving stuff around?

6 A. Mainly moving stuff around. Like I said,
7 I think there was a bicycle in there, but there was
8 parts of -- parts in there. I'm not sure what kind
9 of parts they were, if they were vehicle parts
10 or -- or bicycle parts. But there was something in
11 the living room.

12 Q. Okay. And you mentioned that she said
13 that she had bedbugs.

14 A. Yes.

15 Q. How did that conversation go?

16 A. Well, when I started to reach for the bags
17 to remove them, she said, "You don't want to touch
18 them. They have bed bugs on them." And that's when
19 she started getting agitated.

20 Q. Did you have any other indication that
21 there were bedbugs in there, like sprays or --

22 A. No. Which aroused my suspicions up even
23 more. Like I said, when you're going to hunt for
24 somebody, the people that are hiding -- allegedly

1 hiding these fugitives out, they want to make you
2 believe that there's some hazard that you don't want
3 to -- you don't want to discover in there, you don't
4 want to touch that, you want to kind of stay away
5 from it. So usually that's a good indicator that
6 they're trying to hide something.

7 Q. Okay. Did she have anything in her hands
8 when you were in the bedroom?

9 A. I don't believe so because my attention
10 was to the dog, dog kennel, clothing that was all up
11 there.

12 Q. Okay. Did she lead you into the bedroom?

13 A. I don't -- I don't recall. I believe I
14 went back there because that was probably the most
15 likely place for Boyd to be hiding at, is in the
16 bedroom because we were in there before, and the
17 closet, like I said, was always -- drew our
18 suspicions that something was up with the dog, the
19 clothes. There was always a possibility that
20 somebody was hiding there.

21 Q. So is it -- Is my understanding true that
22 when you went in the bedroom, you went in there
23 first, and you were by yourself?

24 A. I can't recall. I can't recall if I was

1 first or Deputy Reed was first or I let Deputy Reed
2 in the back door because I believe he was covering
3 the back door at some point. But when the incident
4 occurred, the physical incident, Deputy Reed was on
5 the other side of the bed by the back door.

6 Q. Okay. And by "the other side of the bed,"
7 you mean by the nightstand side of the bed?

8 A. Yes. But at the foot of the bed. By the
9 foot of the bed and the back door.

10 Q. Okay. And then prior -- Because of the
11 limited space, prior to her touching you, was
12 there -- I mean, how did she get by you if you went
13 in the bedroom first?

14 A. How did she get -- She wasn't by me. I
15 was between the foot of the bed and the middle of the
16 bed. She came up. The kitchen is leading up to
17 here, and the head of the bed was here; and that's
18 where she was.

19 Q. Okay. And that's even -- So the closet in
20 proximity to Mrs. Sheets was -- was that behind her
21 or in front of her?

22 A. Right beside her.

23 Q. And you were -- you said in --

24 A. Between the closet and the head of the

1 bed. Then Mrs. Sheets was there.

2 Q. And to confirm what happened when she
3 allegedly touched your shoulder, it was your right
4 shoulder?

5 A. Yes.

6 Q. And what arm did you grab of hers?

7 A. It would be her left -- left wrist and
8 underneath her left bicep area.

9 Q. And underneath her left bicep, you're
10 demonstrating that that was your right hand?

11 A. Yes.

12 Q. That was under her left bicep?

13 A. Uh-huh.

14 Q. Okay. And so it was your left hand that
15 was on her wrist?

16 A. Yes. Correct.

17 Q. Okay.

18 A. Wrist, correct.

19 Q. Did anyone else have physical contact with
20 her?

21 A. No.

22 MS. KING: I think that's it for me. Do
23 you want to confer? Do you have any follow-up
24 questions?

1 MR. SREMACK: No.

2 MS. KING: That's it.

3 MS. JARMUSZ: We'll read.

4 (Signature not waived.)

5 - - -

6 And, thereupon, the deposition was
7 concluded at approximately 12:39 p.m.

8 - - -

1 State of Ohio :
2 SS:
3 County of Franklin:

4 I, DEPUTY MARTY NORRIS, do hereby certify
5 that I have read the foregoing transcript of my
6 deposition given on May 11, 2022; that together with
7 the correction page attached hereto noting changes in
8 form or substance, if any, it is true and correct.

9
10 DEPUTY MARTY NORRIS

11 I do hereby certify that the foregoing
12 transcript of the deposition of DEPUTY MARTY NORRIS
13 was submitted to the witness for reading and signing;
14 that after he had stated to the undersigned Notary
15 Public that he had read and examined his deposition,
16 he signed the same in my presence on the
17 _____ day of _____, _____.

18 _____
19 Notary Public

20 My commission expires _____
21 _____
22 - - -
23
24

CERTIFICATE

State of Ohio :

SS:

County of Franklin:

I, Marilyn K. Martin, Notary Public in and
for the State of Ohio, duly commissioned and
qualified, certify that the within named witness was
by me duly sworn to testify to the whole truth in the
cause aforesaid; that the testimony was taken down by
me in stenotypy in the presence of said witness,
afterwards transcribed upon a computer; that the
foregoing is a true and correct transcript of the
testimony given by said witness taken at the time and
place in the foregoing caption specified.

I certify that I am not a relative,
employee, or attorney of any of the parties hereto,
or of any attorney or counsel employed by the
parties, or financially interested in the action.

IN WITNESS WHEREOF, I have set my hand and
affixed my seal of office at Columbus, Ohio, on this
25th day of May, 2022.



MARILYN K. MARTIN
Notary Public in and for the State of Ohio
and Registered Professional Reporter.

My Commission Expires October 16, 2026.

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